

Indiana Petroleum Council

54 Monument Circle, Suite 300
Indianapolis, Indiana 46204
317 639 2588
317 632 8483 (FAX)
mcsbane@lquest.net

Maggie McShane, Executive Director

July 29, 2008

Glynda Oakes
Indiana Department of Environmental Management
Office of Land Quality
100 North Senate Avenue
Indianapolis, IN 46204-2251

RE: Non-Rule Policy Document: Implementation of Ground Water Quality Standards (327 IAC 2-11)

Dear Ms. Oakes:

The Indiana Petroleum Council appreciates the opportunity to submit comments to the Indiana Department of Environmental Management regarding the nonrule policy document on ground water quality standards. The Council is a trade association that represents major fuel suppliers that have assets or business interests in the State of Indiana. We are the state affiliate of the American Petroleum Institute (API).

For the most part, our members are fine with the proposed policy document. We have the following questions and concerns regarding the "direct application of the GWQS" section on page 3 of the document.

The second condition appears redundant and unnecessary since the first condition refers to numeric criteria established for drinking water contaminants that are already based toxic, carcinogenic, mutagenic and teratogenic threshold values. Additionally, the second condition references "a level;" however, the proposed guidance is not specific to what "level" refers. Is this a reference to revising threshold levels of compounds listed in Tables [section] 6(a)(1) and 6(a)(2) of this rule or assigning a threshold level to a different compound that is not currently listed?

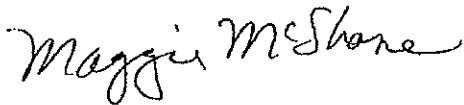
Condition 3 addresses indicator levels for chloride, sulfate and dissolved solids. These proposed indicator levels are consistent with federal secondary drinking water standards based on aesthetics including taste and odor that are non-enforceable under federal regulations. The Council recommends further review prior to making these standards enforceable. For example, it is quite possible that sulfate concentrations in groundwater could easily exceed secondary drinking water standards via the dissolution and infiltration of sulfate derived from agricultural gypsum applied to cultivated fields. As written, Condition 3 could have widespread implications for agricultural or other industries.

Will the rule allow IDEM to reevaluate permitted discharges that exceed these criteria or establish these thresholds as minimal criteria for new permitted discharges? Of particular concern are the proposed secondary drinking water levels identified for chlorides, sulfates and dissolved solids.

(3)(D) Should this read "Total coliform at concentrations exceeding non-detect" instead of "Total coliform at nondetect?"

If we can provide additional information, please let us know.

Sincerely,

A handwritten signature in cursive script that reads "Maggie McShane".

Maggie McShane
Executive Director
Indiana Petroleum Council

Cc: Bruce Palin